



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4467

by Rep. Dwight Kay

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.830 new
30 ILCS 105/5.831 new
40 ILCS 5/2-100 new
40 ILCS 5/2-163 new
40 ILCS 5/18-100 new
40 ILCS 5/18-170 new

Amends the General Assembly and Judges Articles of the Pension Code. Provides that no participant may accrue service credit and no benefits may be paid to any retiree or survivor. Provides that the Court of Claims shall direct the refund of participant pension contributions. Repeals the General Assembly and Judges Articles 2 years after the effective date of the amendatory Act. Effective immediately.

LRB098 14295 RPM 52088 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding
5 Sections 5.830 and 5.831 as follows:

6 (30 ILCS 105/5.830 new)

7 Sec. 5.830. The Article 2 Pension Contribution Refund Fund.

8 (30 ILCS 105/5.831 new)

9 Sec. 5.831. The Article 18 Pension Contribution Refund
10 Fund.

11 Section 10. The Illinois Pension Code is amended by adding
12 Sections 2-100, 2-163, 18-100, and 18-170 as follows:

13 (40 ILCS 5/2-100 new)

14 Sec. 2-100. Termination of benefits; refund of
15 contributions. Notwithstanding any provision of law to the
16 contrary:

17 (a) Except as otherwise provided in this Section, on
18 and after the effective date of this amendatory Act of the
19 98th General Assembly, no participant shall accrue service
20 credit under this Article and no participant or survivor of

1 a participant shall receive any benefit under this Article,
2 including, but not limited to, a retirement, reversionary,
3 or survivor's annuity.

4 (b) On the effective date of this amendatory Act of the
5 98th General Assembly, all funds held by or on behalf of
6 the System are transferred to a special fund in the State
7 treasury, which shall be known as the Article 2 Pension
8 Contribution Refund Fund. Distributions from the Article 2
9 Pension Contribution Refund Fund shall be made at the
10 direction of the Court of Claims or as provided in
11 subsection (d) of this Section.

12 (c) For the period prior to one year after the
13 effective date of this amendatory Act of the 98th General
14 Assembly, any participant, annuitant, refund beneficiary,
15 or other beneficiary may apply to the Court of Claims to
16 receive the refund of the contributions actually made by
17 the participant or annuitant that have not already been
18 paid in the form of benefits. No refunds shall be made for
19 contributions made by the State, whether in the form of
20 participant contributions or otherwise. The Court of
21 Claims shall have the authority to order distributions from
22 the Article 2 Pension Contribution Refund Fund to make such
23 refunds, and no other funds may be used for that purpose.

24 (d) As soon as all orders for payment entered by the
25 Court of Claims under subsection (c) of this Section have
26 been complied with, any funds remaining in the Article 2

1 Pension Contribution Refund Fund shall be paid into the
2 General Revenue Fund.

3 (40 ILCS 5/2-163 new)

4 Sec. 2-163. Repealer. This Article 2 is repealed 2 years
5 after the effective date of this amendatory Act of the 98th
6 General Assembly.

7 (40 ILCS 5/18-100 new)

8 Sec. 18-100. Termination of benefits; refund of
9 contributions. Notwithstanding any provision of law to the
10 contrary:

11 (a) Except as otherwise provided in this Section, on
12 and after the effective date of this amendatory Act of the
13 98th General Assembly, no participant shall accrue service
14 credit under this Article and no participant or survivor of
15 a participant shall receive any benefit under this Article,
16 including, but not limited to, a retirement, reversionary,
17 or survivor's annuity.

18 (b) On the effective date of this amendatory Act of the
19 98th General Assembly, all funds held by or on behalf of
20 the System are transferred to a special fund in the State
21 treasury, which shall be known as the Article 18 Pension
22 Contribution Refund Fund. Distributions from the Article
23 18 Pension Contribution Refund Fund shall be made at the
24 direction of the Court of Claims or as provided in

1 subsection (d) of this Section.

2 (c) For the period prior to one year after the
3 effective date of this amendatory Act of the 98th General
4 Assembly, any participant, annuitant, refund beneficiary,
5 or other beneficiary may apply to the Court of Claims to
6 receive the refund of the contributions actually made by
7 the participant or annuitant that have not already been
8 paid in the form of benefits. No refunds shall be made for
9 contributions made by the State, whether in the form of
10 participant contributions or otherwise. The Court of
11 Claims shall have the authority to order distributions from
12 the Article 18 Pension Contribution Refund Fund to make
13 such refunds, and no other funds may be used for that
14 purpose.

15 (d) As soon as all orders for payment entered by the
16 Court of Claims under subsection (c) of this Section have
17 been complied with, any funds remaining in the Article 18
18 Pension Contribution Refund Fund shall be paid into the
19 General Revenue Fund.

20 (40 ILCS 5/18-170 new)

21 Sec. 18-170. Repealer. This Article 18 is repealed 2 years
22 after the effective date of this amendatory Act of the 98th
23 General Assembly.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.